THE HON'BLE SRI JUSTICE C.V. RAMULU

Wednesday, 28th day of February,2007

W.P.No.19500 of 1997

Between:-

The Managing Director,
Deccan Chronicle Pvt.Ltd.,
36, Sarojini Devi Road,
Secunderabad and another … Petitioners

and

Sri Syed Ziauddin
and others … Respondents

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ORAL ORDER:

This Writ Petition is filed seeking a Certiorari to call for the records relating to the common Order dated 9-6-1997 passed in P.W.Nos.7/94, 18/94 and 16/95 on the file of the Authority under the Payment of Wages Act and the Assistant Commissioner of Labour, West Godavari District, Eluru and to quash the same.

It appears, the 1st respondent filed claim applications claiming difference of wages for the period from 1-8-1991 to 31-7-1995 for which he worked as a part-time Reporter with the petitioners' management. All the three cases were clubbed and common evidence was recorded. In short, the case of the 1st respondent-workman was that he worked as a part-time Reporter of Deccan Chronicle newspaper from 1-8-1991 to 31-7-1995, but he was not paid the wages as per Justice Bachawat Award and even the honorarium of Rs.500/- was also not paid during that period. Though the Management-writ petitioners filed counters in two cases before the Authority; they remained *ex parte* thereafter. On his behalf, the workman examined himself as W.W.1 and got marked Exs.A1 to A102, but the Management has not adduced any oral or documentary evidence. After a detailed consideration of the evidence before it, the Authority came to the conclusion that as per Justice Bachawat award, every part-time Correspondent shall be paid not less than 1/3rd basic

wage and full Dearness Allowance applicable to a full-time Correspondent and in addition, payment should be made to him on column basis – the rate to be settled by mutual negotiations, provided that no newspaper establishment shall put any restriction on a part-time Correspondent that he will not work for more than one newspaper, unless he is appointed full time. There is no dispute as to the Award and its applicability to the 1st respondent. Petitioner-Management has totally denied the part-time Reportership of the 1st respondent right from 1-8-1991 to 31-7-1995. The claimant-respondent No.1 marked several documents to show that every month he has been sending reports to the petitioner-Management for its use/publication. Absolutely, there is no contra evidence to show that the news items sent by the 1st respondent were not received by the Management or they are not true. Nothing has been elicited from W.W.1 to show that the documents filed by him are not true and correct. I am of the opinion that the Authority under the Payment of Wages Act has not committed any error calling for interference of this Court under Article 226 of the Constitution of India. The Writ Petition is devoid of merits and is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No order as to costs.

28-2-2007

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